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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,332	06/21/2002	Kuninori Shino	SONY JP-160	1337
7590 08/09/2005				
Lerner David Littenberg Krumholz & Mentlik 600 South Avenue West Westfield, NJ 07090		EXAMINER LEUNG, WAI LUN		
		ART UNIT PAPER NUMBER		
		2633		

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/019,332

Applicant(s)

SHINO ET AL.

Examiner

Danny Wai Lun Leung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 1/3/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7 and 8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6 is/are allowed.
- 6) ☒ Claim(s) 7 and 8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 6/21/2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 12/21/2001.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Drawings***

2. Figures 3-6 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 7 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 5,432,874 to Muraguchi.

Regarding to claim 7, Muraguchi discloses an optical communication apparatus (fig 2) in which light for transmission (in fig 2, output of 8) and light for receipt (in fig 2, input of 13) of

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substantially a same wavelength are propagated simultaneously over a sole cable (7, fig 2; col 3, ln 51-57, a two-core optical fiber is a sole cable) to effect bidirectional communication, comprising: light emitting means (8, fig 2) for emitting said light for transmission; light receipt means (13, fig 2) for receiving said light for receipt; light guide means (7, fig 2) for guiding said light for transmission over said cable and for guiding said light for receipt to said light receipt means, and controlling means (15, fig 2) for controlling said light emitting means and the light receipt means, said controlling means allowing for processing of a signal corresponding to said light for receipt received by said light receipt means (col 4, ln 3-6) in a state in which said light for transmission is emitted by said light emitting means and propagated over said cable, said controlling means allowing for processing for transmission of a signal by said light for transmission emitted by said light emitting means in a state in which the light for receipt propagated over said cable is being received by said light receipt means (col 4, ln 7-14).

Regarding to claim 8, Muraguchi discloses an optical communication method for an optical communication apparatus comprising light emitting means for emitting light for transmission (8, fig 2), light receipt means for receiving light for receipt (13, fig 2) and light guide means (7, fig 2) for guiding light for transmission to said cable and for guiding said light for receipt to said light receipt means, in which said light for transmission and said light for receipt of substantially a same wavelength are propagated simultaneously over a sole cable to effect bidirectional communication (col 2, ln 48-58); said optical communication method comprising the steps of: allowing for processing of a signal corresponding to said light for receipt received by said light receipt means in a state in which said light for transmission is emitted by said light emitting means and propagated over said cable (col 4, ln 3-6); and allowing

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for processing for transmission of a signal by said light for transmission emitted by said light emitting means in a state in which the light for receipt propagated over said cable is being received by said light receipt means (col 4, ln 7-14).

***Allowable Subject Matter***

5. Claims 1-6 are allowed.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Wai Lun Leung whose telephone number is (571)272-5504. The examiner can normally be reached on 9am-5pm Mon-Fri, except federal holidays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on (571) 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

August 3, 2005  
DWL

  
**JASON CHAN**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600